

Congress of the United States

Washington, DC 20515

December 5, 2006

The Honorable Michael Chertoff
Secretary
Department of Homeland Security
Washington, DC 20528

The Honorable Alberto Gonzales
Attorney General
Department of Justice
Washington, DC 20530

Dear Secretary Chertoff and Attorney Gonzales,

As you know, dozens of nations around the world routinely refuse to accept their own nationals when the United States attempts to repatriate them to their country of origin. The *Wall Street Journal* recently reported, for example, that the People's Republic of China is refusing to take back some 40,000 of their nationals who are slated for deportation. As a result, these aliens are free to remain in the United States.

The People's Republic of China is not the only nation with which we have this problem. According to news reports, the list of nations that refuse to cooperate with U.S. efforts to deport their nationals includes nations in Central Asia, the Caribbean, Africa, the Middle East and Central America. Their reasons for refusal range from disagreements over U.S. asylum policy, to concerns about allowing criminals back into their communities. Whatever their stated reasons, however, the result is the same: America is forced to allow these aliens to remain in the U.S. indefinitely.

While it may be true that we have few ways to force the return of those aliens already here, ample tools are available to your agency to prevent this problem from getting worse. As you know, 8 U.S.C. 1253 allows our government to retaliate against nations like China who engage in this behavior by discontinuing the issuance of immigrant and non-immigrant visas to its nationals. All that is needed to impose this countermeasure is for you to notify the Secretary of State that China – or any of other non-cooperative country – is refusing to accept repatriation of its nationals.

Many of these countries are very dependent on the issuance of temporary worker, student and long term professional worker visas. The issuance of these visas is vital to many foreign economies because of the importance of remittances. The hardship that suspending this service would cause the economies of these offending countries would likely prompt these nations to reconsider these wrong-headed policies.

We would like to know why this step has not yet been taken when the statute appears to *require* it. The section reads, "*On being notified by the Attorney General that the government of a foreign country denies or unreasonably delays accepting an alien who is a citizen... of that country after the Attorney General asks whether the government will accept the alien under this section, the Secretary of State shall order consular officers in that foreign country to discontinue granting immigrant visas or nonimmigrant visas, or both, to citizens... of that country until the Attorney General notifies the Secretary that the country has accepted the alien.*"

Unless these nations believe that they will suffer as a result of these policies, nothing is ever going change. Indeed, word will quickly spread among intending immigrants that all they need to do is make it to the United States, and they are "home free."

We hope you will notify the Secretary of State about which countries are refusing to comply with our deportation requests, so that appropriate actions will be taken. If you will not take this step, we would like to know why.

We look forward to your reply. Thank you in advance for your assistance.

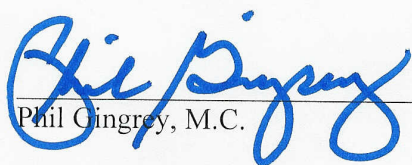
Sincerely,



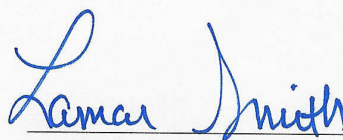
Thomas G. Tancredo, M.C.




Robert B. Aderholt, M.C.



Phil Gingrey, M.C.



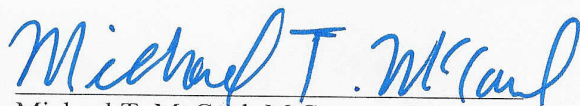
Lamar S. Smith, M.C.



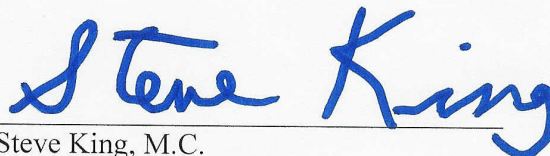
Dan Burton, M.C.



Dana Rohrabacher, M.C.



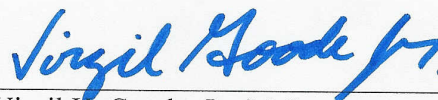
Michael T. McCaul, M.C.



Steve King, M.C.



Howard Coble, M.C.



Virgil H. Goode, Jr., M.C.



Tom Price, M.C.



Ted Poe, M.C.